

Customer Number: 000959

Attorney's
Docket
Number AHN-001

Declaration, Petition and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MSH5 ABLATED MICE AND USES THEREFOR
the specification of which

(check one)

 is attached hereto.

X was filed on December 22, 1999 as

Application Serial No. 09/469,636

and was amended on _____
(if applicable)

I do not know and do not believe that the subject matter of this application was known or used by others in the United States or patented or described in a printed publication in any country before my invention thereof, or patented or described in a printed publication in any country or in public use or on sale in the United States more than one year prior to the date of this application, or first patented or caused to be patented or made the subject of an inventor's certificate by me or my legal representatives or assigns in a country foreign to the United States prior to the date of this application on an application filed more than twelve months (six months if this application is for a design) before the filing of this application; and I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

CLAIM OF BENEFIT OF EARLIER FOREIGN APPLICATION(S)

I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application(s) for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application(s) from which priority is claimed.

Check one:

☒ no such applications have been filed.

☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119	
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/113,487
(Application Serial No.)

December 22, 1998
(Filing Date)

(Application Serial No.)

(Filing Date)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any earlier United States application(s) or PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date(s) of the earlier application(s) and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier application(s), if any, described below, I do not know and do not believe that the same was known or used by others in the United States or patented or described in a printed publication in any country before my invention thereof, or patented or described in a printed publication in any country or in public use or on sale in the United States more than one year prior to the date(s) of said earlier application(s), or first patented or caused to be patented or made the subject of an inventor's certificate by me or my legal representatives or assigns in a country foreign to the United States prior to the date(s) of said earlier application(s) on an application filed more than twelve months (six months if this application is for a design) before the filing of said earlier application(s); and I acknowledge that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

(Application Serial No.)

(Filing Date)

(Status)
(patented,pending,aband.)

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

W. Hugo Liepmann Reg. No. 20,407
James E. Cockfield Reg. No. 19,162
Thomas V. Smurzynski Reg. No. 24,798
Ralph A. Loren Reg. No. 29,325
Giulio A. DeConti, Jr. Reg. No. 31,503
Ann Lamport Hammitte Reg. No. 34,858
Elizabeth A. Hanley Reg. No. 33,505
Amy E. Mandragouras Reg. No. 36,207
Anthony A. Laurentano Reg. No. 38,220
Jane E. Remillard Reg. No. 38,872
Jeremiah Lynch Reg. No. 17,425
Kevin J. Canning Reg. No. 35,470
David A. Lane, Jr. Reg. No. 39,261

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DeAnn F. Smith Reg. No. 36,683
William D. DeVaul Reg. No. 42,483
David J. Rikkers Reg. No. 43,882
Chi Suk Kim Reg. No. 42,728


Send Correspondence to Amy E. Mandragouras at **Customer Number: 000959** whose address is:

Lahive & Cockfield, LLP, 28 State Street, Boston, MA 02109

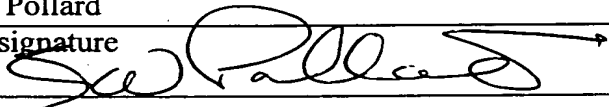
Direct Telephone Calls to: Amy E. Mandragouras , (617) 227-7400


Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Winfried Edelmann	
Inventor's signature 	Date 4/11/00
Residence 5800 Arlington Ave., Apt. 10H Bronx, New York 10471	
Citizenship German	
Post Office Address (if different)	

Full name of second inventor, if any Richard D. Kolodner	
Inventor's signature	Date
Residence 13468 Kibbings Rd. San Diego, California 92130	
Citizenship U.S.	
Post Office Address (if different)	

Full name of third inventor, if any Jeffrey W. Pollard	
Inventor's signature 	Date 4/11/00
Residence 275 W. Ninety-sixth Street. New York, New York 10025	
Citizenship U.S.	
Post Office Address (if different)	

Full name of fourth inventor, if any Raju S. Kucherlapati	
Inventor's signature 	Date 4/11/00
Residence Five Gracie Lane Darrien, Connecticut 06820	
Citizenship U.S.	
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Winfried Edelmann	
Inventor's signature	Date
Residence 5800 Arlington Ave., Apt. 10H Bronx, New York 10471	
Citizenship German	
Post Office Address (if different)	

Full name of second inventor, if any Richard D. Kolodner	
Inventor's signature <i>Richard D. Kolodner</i>	Date April 5, 2000
Residence 13468 Kibbings Rd. San Diego, California 92130	
Citizenship U.S.	
Post Office Address (if different)	

Full name of third inventor, if any Jeffrey W. Pollard	
Inventor's signature	Date
Residence 275 W. Ninety-sixth Street. New York, New York 10025	
Citizenship U.S.	
Post Office Address (if different)	

Full name of fourth inventor, if any Raju S. Kucherlapati	
Inventor's signature	Date
Residence Five Gracie Lane Darrien, Connecticut 06820	
Citizenship U.S.	
Post Office Address (if different)	

In re the application of: **Fried Edelmann, Richard D.
Kolodner, Jeffrey W. Ponnard, and Raju S. Kucherlapati**

Divisional of Serial No.: 09/469,636

Filed: Herewith

For: *METHODS FOR MODULATING THE ACTIVITY
OF MSH5 (As amended)*

Attorney Docket No.: AHN-001DV2

Unit:

Examiner:

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: September 11, 2000

Mailing Label Number: EL 011 359 942 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Vincent B Cardoso
Name of Person Mailing Paper

Vincent B Cardoso
Signature of Person Mailing Paper

ASSOCIATE POWER OF ATTORNEY

Sir:

The undersigned attorney has the power of attorney in the subject application. She hereby grants an associate power to:

Maria C. Laccotripe
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109

As demonstrated by Appendix A (submitted herewith) Maria C. Laccotripe has passed the Patent Bar Examination and has been granted limited recognition under 37 C.F.R. § 10.9(b).

Please continue to forward all written and telephonic communications to Amy E. Mandragouras at the address and telephone number listed below.

Respectfully submitted,

Ann Lampert Hammitte

Ann Lampert Hammitte
Registration No. 34,858
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400